

REMARKS

Reconsideration and allowance of this application are respectfully requested. New claims 17-20 have been added¹. Claims 1, 2 and 10-16 have been canceled². Claims 3-9 and 17-20 are now pending in the application. The rejection is respectfully submitted to be obviated in view of the remarks presented herein.

Applicants have filed an Information Disclosure Statement on February 15, 2006 in the U.S. Patent and Trademark Office. The Examiner is respectfully requested to consider the submitted IDS and to attach an initialed copy to the next Office communication.

Rejection of Claims 3-9

Claims 3-9 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over “Integration of 5C with a 1394 Audio/Video Link chip” Technical White Paper (hereinafter “the 5C reference”). The rejection is respectfully traversed.

The 5C reference discloses IEEE 1394. In Fig. 3 as shown on page 7 of the 5C reference, an encrypted key is sent by asynchronous channel and an encrypted A/V is sent by isochronous channel. However, this teaching of the 5C reference *is inconsistent with, and actually opposite to that which is claimed*.

¹ Support for the newly added claims is found in the specification on at least page 38, line 17 to page 39, line 2.

² Applicants have canceled claims 1, 2 and 10-16 in order to clarify the differences between the elements of the claimed invention and the cited references, and have not intended to abandoned any right in the canceled claims.

As recited by claim 3, encrypted encryption processing information (e.g. encrypted encryption key) is sent by a second sending device to an information receiving apparatus in accordance with a first transmission mode (synchronous mode). Further, as also recited by claim 3, encrypted specific information (e.g. encrypted AV data) is sent by a first sending device to the information receiving apparatus in accordance with a second transmission mode (asynchronous mode). Accordingly, the present invention is able to transmit information (e.g. music information) at a high speed and in large amount with security being improved by ending the information. On the contrary, the configuration and objectives disclosed by the 5C reference are totally different from that of the claimed invention. Thus, there is no teaching or suggestion in the 5C reference of sending encrypted encryption processing information in accordance with a synchronous transmission mode, and sending encrypted specific information in accordance with an asynchronous transmission mode.

At least by virtue of the aforementioned differences, the invention defined by claim 3 is patentable over the 5C reference. Claim 6 is a related independent claim which recite elements similar to independent claim 3, and are allowable for analogous reasons. Claims 4, 5 and 7-9 are dependent claims including all of the elements of independent claim 3, which, as established above, is patentable over the 5C reference. Therefore, claims 4, 5 and 7-9 are patentable over the 5C reference for at least the aforementioned reasons as well as for their additionally recited features. Reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(b) are respectfully requested.

With further regard to claim 4, “said encryption processing information is an encryption key and an encryption table for encrypting the AV information.” There is also no teaching or suggestion in the 5C reference of these further elements as claimed. The 5C reference discloses the use of public/private keys in a public key exchange system, however, the 5C reference fails to teach or suggest that encryption processing information is an encryption key and an encryption table for encrypting AV information. At least by virtue of these additional differences as well as for the aforementioned reasons, Applicants’ claimed invention distinguishes over the 5C reference.

With further regard to claim 5, “said first transmission mode is an isochronous transmission mode in the IEEE 1394 Standard and said second transmission mode is an asynchronous transmission mode in the IEEE 1394 Standard.” There is also no teaching or suggestion in the 5C reference of these further elements as claimed. As discussed above, the 5C reference discloses two kinds of transfer modes and some kinds of data can be transferred, however, the 5C reference fails to teach or suggest that the particular modes of transmission of the specifically recited specific information and encryption processing information, as claimed. At least by virtue of these additional differences as well as for the aforementioned reasons, Applicants’ claimed invention distinguishes over the 5C reference.

Newly Added Claims

Applicants have added new claims 17-20 to provide more varied protection for the present invention. Claims 17-20 are allowable for analogous reasons as discussed above, as well as for their additionally recited features. That is, the cited references fail to teach or suggest,

AMENDMENT UNDER 37 C.F.R. § 1.111

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inter alia, an encryption processing by using an identification information of an information recording medium. In particular, the claimed invention includes exemplary elements such as:

- an identification information of an information recording medium is sent by an information receiving apparatus;
- recording information is encrypted on the basis of the identification information;
- the encrypted recording information is sent in asynchronous mode; and
- encryption processing information is sent in isochronous mode.

In view of the above, the 5C reference fails to teach or suggest the claimed invention.

Reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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